UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1997/56
21 January 1997

ORIGINAL: ENGLISH

PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

1. The present report is submitted in accordance with the Secretary-General's undertaking of 5 December (S/1996/1010, para. 33) to report again in one month on the issue of compliance by the parties with the provisions of the ceasefire agreement and on possible results of the meetings between Tajik President Emomali S. Rakhmonov and Mr. S. Abdullo Nuri, leader of the United Tajik Opposition (UTO).

I. PROGRESS OF NEGOTIATIONS

2. Since early December, the Government of Tajikistan and the UTO have made progress in their negotiations. On 10 and 11 December, President Rakhmonov and Mr. Nuri met in Khusdeh, northern Afghanistan, for a preliminary meeting prior to a summit meeting to be held in Moscow. President Burhanuddin Rabbani of the Islamic State of Afghanistan and the Special Representative of the Secretary-General for Tajikistan, Mr. Gerd Merrem, were also present. Two documents were signed at Khusdeh: a joint statement informing the public about the main agreements reached during the talks and also containing an appeal for the extension of the mandate of the United Nations Mission of Observers in Tajikistan (UNMOT) (annex I); and an agreement on the restoration of the ceasefire (annex II). The latter provides for the cessation of armed hostilities as of midnight on 12 December, the disengagement of forces in the Tavildara sector, the removal of all military posts from the Dushanbe-Jirgatal road, and the release by the UTO of government servicemen taken prisoner in the course of the latest events in the Tavildara and Karategin Valley areas. UNMOT is requested in the agreement to deploy military observers on both sides of the separation area in the Tavildara sector; to assist, together with the International Committee of the Red Cross (ICRC), in the release of prisoners of war; and to facilitate the controlling and monitoring role of the Joint Commission, the main body entrusted with the implementation of the agreement.

3. President Rakhmonov and Mr. Nuri also initialled the text of a draft agreement to be signed at the formal meeting in Moscow. Its main points are the completion, by 1 July 1997, of all documents provided for in the protocol on the

fundamental principles for establishing peace and national accord of 17 August 1995 (S/1995/720, annex), and the conclusion of the inter-Tajik talks within 12 to 18 months; the establishment of a commission on national reconciliation for the transition period under the chairmanship of a UTO representative; general amnesty; full exchange of prisoners of war and detainees; and the extension of the ceasefire agreement for the duration of inter-Tajik talks (see S/1996/1070, annex I).

4. The summit meeting between President Rakhmonov and Mr. Nuri began in Moscow on 21 December. On 23 December, the two leaders signed two documents. The first document was the agreement initialled at Khusdeh. The second document was a protocol that defines the functions and the powers of the commission on national reconciliation (see S/1996/1070, annex II). That protocol, which forms an integral part of the Khusdeh agreement, was drafted with the participation of the Russian Federation in close consultation with Special Representative Merrem. The parties further agreed that the next round of inter-Tajik talks would begin in Tehran on 5 January 1997.

5. The Tehran talks began after a one-day delay on 6 January and lasted until 19 January. The two parties achieved progress on the statute of the commission of national reconciliation. Two important elements remain unresolved: the allocation of seats on the commission to the parties and independent persons, and appropriate security guarantees for the UTO members. The two sides agreed to continue work on a compromise proposal suggested by the United Nations.

6. The parties also signed a protocol on refugees (annex III), and discussed in detail a protocol on political problems, both provided for in the protocol of 17 August 1995 (see S/1995/720, annex). As regards the protocol on political problems, the parties initialled their agreement on three out of four substantive issues. These were mutual forgiveness and amnesty; participation by the UTO in the central electoral commission; and the mechanism of integration of UTO representatives to the Government during the transitional period. The parties failed to reach agreement, however, on the modalities and conditions of reforming military/political movements into political parties and of lifting a ban on their activities.

7. At the closing ceremony on 19 January, the two delegations issued a joint statement on the progress achieved during the round of talks (annex IV), agreeing to meet again on 26 February in either Moscow or Tehran, where, in addition to the remaining political issues, the parties would discuss the protocol on military issues provided for in the protocol of 17 August 1995.

II. DEVELOPMENTS IN TAJIKISTAN

8. When the two leaders met in northern Afghanistan in mid-December, fighting was ongoing in the Tavildara sector and in the Karategin Valley. Following the Khusdeh ceasefire agreement, the fighting came to a halt in the Tavildara sector and sections of the Karategin Valley. An exception was Garm, where the opposition forces continued to attack government troops whom they had encircled at the airport. These attacks ceased on 15 December, as a delegation arrived in Dushanbe from UTO headquarters in Taloqan, northern Afghanistan, to secure full

adherence to the ceasefire by opposition field commanders. Since then, and as of the time of writing, no major fighting has been reported between government and opposition forces in the country, although the situation remained tense owing to rumours of redeployments by both sides as well as the serious incidents described below.

9. Following requests by both the Government and opposition to UNMOT for on-the-ground support of the ceasefire accord reached at Khusdeh, and after assurances of security by both sides, two UNMOT teams set out for Garm on 15 December in a convoy with a Tajik Deputy Minister of the Interior and four members of the Joint Commission, two from each side. At the Sari Pul checkpoint at the southern approach to Garm, however, the UNMOT military observers were stopped by government soldiers, physically harassed, their lives threatened and their equipment stolen. They managed to escape when the attention of the checkpoint commander was distracted by an oncoming vehicle; they reached Garm the following day by another route. UNMOT protested strongly to the Government at this second instance of harassment of its personnel two weeks after a similar incident at Chorsada checkpoint. The Government apologized for the incident.

10. The UTO delegation from Taloqan was headed by Mr. Davlat Usmon, the Chief of Military Staff, and arrived in Garm on 17 December. He met with opposition field commanders present in the Karategin Valley and briefed them on the outcome of the preliminary meeting between President Rakhmonov and Mr. Nuri, with a view to securing effective implementation of the ceasefire agreement. Tensions in the valley greatly subsided as a result of the meetings and as a gesture of goodwill opposition commanders released several government servicemen they had been holding prisoner.

11. On 20 December, a five-vehicle convoy travelling from Garm to Dushanbe was taken hostage by an armed group and held in a hamlet called Kalainav, five kilometres west of Obigarm. Twenty-three persons were travelling in the convoy, including members of the Joint Commission from both sides, government officials and servicemen, and nine United Nations personnel, of whom seven were military observers and two local staff. The leader of the armed group claimed to be acting in the name of Commander Rizvon Saidov, a former opposition field commander who had recently joined the Government. The group demanded the release by the UTO of Mr. Saidov's brother and three others in return for the hostages.

12. Following intensive negotiations by the Government, the opposition and UNMOT, the group released the hostages the next day, except for the two opposition members of the Joint Commission who were to be exchanged for the four prisoners who were being held by a regional opposition commander in the Tavildara sector. One United Nations military observer stayed behind in Kalainav to provide communications. Subsequently it became known that of the four prisoners, one had died and another had been freed some time ago. Following direct orders from Mr. Nuri, the opposition field commander agreed to release the remaining two in exchange for the two members of the Joint Commission. The exchange finally took place on 26 December.

13. In Dushanbe, serious acts of violence undermined security in the capital. In mid-December, three bombs exploded in the centre of town. One, in the post

office, resulted in the death of several people. Two other bombs exploded in the same vicinity. No one has claimed responsibility for the bombs and President Rakhmonov has publicly stated that he did not believe the opposition was responsible. In early January two Tajik security officers were murdered and four Russian servicemen lost their lives to what is believed to have been terrorist acts.

14. On 8 January 1997, in Tursunzade, the Commander of the Government's Rapid Reaction Brigade, together with some 200 soldiers loyal to him, encircled the security forces of the Mayor of Tursunzade, demanding the reinstatement of the former Mayor and the return of military equipment allegedly stolen from the Brigade's headquarters near Kurgan-Tyube. Despite an order by President Rakhmonov for the Brigade to return to base, fighting broke out between the two forces in the morning of 9 December, resulting in the take-over of Tursunzade's administrative building by the Rapid Reaction Brigade. The Mayor fled the town. The President then instructed the commander of the Presidential Guard to send troops to protect the aluminium plant in the town. As the Presidential Guard forces approached the town, they were blocked from entering by a demonstration of some 400 townspeople, mostly women. The President ordered the Presidential Guard to withdraw. At the time of writing, the situation in Tursunzade, which has been the site of disturbances in the past, remained unsettled.

15. As the talks in Tehran neared conclusion, on 18 January a demonstration was held in Khujand demanding the inclusion of representatives from the National Renaissance Block (founded by three former Prime Ministers from the region) in the commission of national reconciliation. The demonstration ended peacefully the following day after a protocol was signed between representatives of the demonstrators and the local government authorities. According to the protocol, a message is to be sent to President Rakhmonov by the local government authority, urging him to meet with the leader of the Block, Mr. Abdullajanov, to incorporate the interests of all political parties and movements in the next round of inter-Tajik talks.

16. In the Karategin Valley and the Tavildara sector, tense calm prevailed, pending the outcome of the Tehran talks. Government representatives and the UTO delegation led by Mr. Usmon continued their contacts and agreed on the removal of all checkpoints along the Garm-Dushanbe road and the opening of the road to all civilian traffic. On 16 January, the Government confirmed that the opposition had released all its servicemen taken prisoner during fighting in November and December, in accordance with the agreement reached in northern Afghanistan.

17. However, the activity of armed groups, notably that led by Rizvon Saidov, who are not under effective control of either the Government or the UTO continued to pose a serious obstacle. In addition, a large number of anti-personnel mines, insufficiently charted and currently covered by snow, pose a serious hazard.

18. In these circumstances, UNMOT continued to operate with a limited deployment. It maintained a strengthened team in Garm to support the contacts between Government and UTO and maintained its offices in Khorog and in Taloqan,

northern Afghanistan. It also carried out patrols from Dushanbe, including one to Tursunzade in connection with the recent disturbances there.

III. OBSERVATIONS

19. The agreement reached in Moscow has broken the long impasse that had existed between the parties on the main political issues. It represents a qualitative change for the better, provided it is carried out as written. It was to be hoped that the Tehran talks would bring more progress in that regard. However, there is no question that a step forward has been made since last month.

20. The situation in Tajikistan remains extremely fluid. It is never easy to overcome the enmity and mistrust created in years of armed conflict and there are elements on both sides who believe that their interests are better served by continued fighting. The Secretary-General views the harassment of United Nations personnel last month in this light. However, the agreements reached between the two sides have given new impetus to efforts aimed at achieving reconciliation, efforts that require the international community's vigorous support.

21. The agreements reached between the two sides entail new tasks for UNMOT. As regards the maintenance of the ceasefire, the implementation of the Khusdeh agreement will result in central Tajikistan becoming more than before the focus of activities for UNMOT military observers. UNMOT will carry out its responsibilities in this regard to the extent that its essential security requirements are met. Concerning cooperation with the Commission on National Reconciliation, Mr. Merrem will be pursuing with the parties the question of the practical implications this will have for the United Nations.

22. With reference to paragraph 6 of Security Council resolution 1089 (1996) of 13 December 1996, the Secretary-General is recommending no changes in the nature and size of the United Nations presence in Tajikistan at this stage. He will, of course, keep the situation under review and revert to the Council in due course.

Annex I

Joint statement issued by the President of Tajikistan and the leader of the United Tajik Opposition

We, having met on 10 and 11 December 1996 in northern Afghanistan, have agreed, in the presence of the President of the Islamic State of Afghanistan, Professor Burhanuddin Rabbani and the Special Representative of the Secretary-General of the United Nations for Tajikistan, Mr. G. D. Merrem, to meet on 19 December 1996 in Moscow. The aim of the meeting will be to resolve issues related to the Tajiks' fate through negotiation and consolidation in order to get our suffering people out of their deep difficulties and to achieve national reconciliation in the country. To that end, we are concluding an agreement proclaiming the establishment of a council on national reconciliation. Meanwhile, we express our intention to announce a ceasefire for the entire period of the inter-Tajik talks.

During our meeting in Afghanistan we also signed a protocol aimed at halting the fighting as well as restoring the work of the hukumats (executive committees) and official structures in the Karategin and Tavildara areas.

We hope that the documents prepared by us will define the most appropriate way towards national accord and mutual confidence and lay the ground for achieving the essential purposes of the nation. There is nothing better than mutual confidence for achieving our goal.

We request the United Nations Secretary-General to recommend to the Security Council that it extend the mandate of the United Nations Mission of Observers in Tajikistan.

We express our sincere gratitude to the President of the Islamic State of Afghanistan, Professor Burhanuddin Rabbani, the Special Representative of the Secretary-General of the United Nations for Tajikistan, Mr. Gerd Merrem, and the Governments of the Russian Federation, the Islamic Republic of Iran and all observer States at the inter-Tajik talks for their efforts in arranging this meeting.

(Signed) Emomali Sharipovich RAKHMONOV
President of the Republic
of Tajikistan

(Signed) Said Abdullo NURI
Leader of the United
Tajik Opposition

(Signed) Gerd Dietrich MERREM
Special Representative of the Secretary-General
of the United Nations for Tajikistan

Annex II

[Original: Russian]

Protocol on settlement of the military and political situation in the areas of confrontation, signed in northern Afghanistan on 11 December 1996

The President of the Republic of Tajikistan, Mr. Emomali S. Rakhmonov, and the leader of the United Tajik Opposition, Mr. S. Abdullo Nuri, condemn the recent marked deterioration in the military and political situation in the Karategin Valley and Tavildara areas of the Republic on the eve of their Moscow meeting, and have agreed as follows:

1. Before the signing of the Agreement in Moscow, to halt all military action starting at 00 hours on 12 December 1996;

2. The parties shall withdraw their armed units and formations from the Dushanbe-Khorog highway. Towards Tavildara, they shall establish their posts respectively on both sides of the Karanak pass (the government post in sector N1 and the opposition post in the village of Saridasht). They request the United Nations Mission of Observers in Tajikistan to assign representatives to these posts as observers. Simultaneously, the armed formations of the United Tajik Opposition shall withdraw from the centre of Tavildara to the village of Dashti-Sher. The government forces shall remain on the summit of the Khaburobot pass and in the Labi-Djar locality;

3. The parties shall remove their armed posts on the Dushanbe-Jirgatal highway. The United Tajik Opposition shall withdraw its armed formations from the regional centres of Komsomolabad, Garm, Tajikabad and Jirgatal. The Ministry of Internal Affairs battalion shall remain at Garm at the location where it was previously stationed;

4. As a confidence-building measure, the United Tajik Opposition shall release the military personnel of the government forces taken prisoner or hostage in the course of the recent events in the Tavildara, Komsomolabad, Garm, Tajikabad and Jirgatal regions. The United Nations Mission of Observers in Tajikistan and the International Committee of the Red Cross shall be requested to assist in the conduct of this humanitarian action;

5. For purposes of preventing valuables, weapons, narcotic substances and other items prevented by law from being smuggled in and out, a customs control post shall be established on the border between the Jirgatal region and the Republic of Kyrgyzstan, and also, by the forces of the Government and the United Tajik Opposition, a joint border post;

6. The functioning of the lawful authorities in the territory of Tavildara, Komsomolabad, Garm, Tajikabad and Jirgatal regions shall be restored. In selecting and deploying troops and offices of the organs responsible for internal affairs, preference shall be given to local professionally trained

personnel. The United Tajik Opposition accepts and will not impede the normal functioning of the structures of power;

7. Monitoring of the application of the present Protocol shall be the responsibility of the Joint Commission. The United Nations Mission of Observers in Tajikistan shall be requested to assist in this respect;

8. The Protocol shall enter into force at the time of its signature.

(Signed) Emomali Sharipovich RAKHMONOV
President of the Republic
of Tajikistan

(Signed) Said Abdullo NURI
Leader of the United
Tajik Opposition

(Signed) Gerd Dietrich MERREM
Special Representative of the Secretary-General
of the United Nations for Tajikistan

Annex III

[Original: Russian]

Protocol on refugees, signed in Tehran on 13 January 1997

With a view to overcoming the consequences of the civil war and achieving peace and national accord in the country, and in accordance with the protocol on the fundamental principles for establishing peace and national accord in Tajikistan of 17 August 1995, the joint statement on the results of the fourth round of inter-Tajik talks in Almaty and the appeal by the President of the Republic of Tajikistan, Mr. Emomali S. Rakhmonov, and the leader of the United Tajik Opposition, Mr. S. Abdullo Nuri, to their fellow countrymen who had been forced to leave the country, adopted in Moscow on 23 December 1996, the delegations of the Republic of Tajikistan and the United Tajik Opposition (hereinafter referred to as "the Parties"), have agreed as follows:

1. To step up mutual efforts to ensure the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes, and to complete this process within 12 to 18 months from the date of signature of this Protocol. With a view to ensuring their safety, honour and dignity, the Parties also call upon the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the Office of the United Nations High Commissioner for Refugees (UNHCR) to provide assistance in order to ensure the safety of returning refugees and displaced persons and to establish and expand their presence at places where such persons are living.

2. The Government of the Republic of Tajikistan assumes the obligation to reintegrate returning refugees and displaced persons into the social and economic life of the country, which includes the provision to them of humanitarian and financial aid, assistance in finding employment and housing and the restoration of all their rights as citizens of the Republic of Tajikistan (including the return to them of dwellings and property and guaranteed uninterrupted service), and not to institute criminal proceedings against returning refugees or displaced persons for their participation in the political confrontation and the civil war, in accordance with the legislative acts in force in the Republic.

3. The Parties have decided to resume the work of the Joint Commission on problems relating to refugees and, within one month from the date of signature of this Protocol, with the assistance of UNHCR, to draw up a statute of the Commission.

4. The Parties have decided to instruct the Joint Commission, with the participation of representatives of local hukumats (executive committees) and the United Tajik Opposition for the period during which this Protocol is being implemented, to visit on a regular basis, in accordance with a separate timetable, refugee camps in the Islamic Republic of Afghanistan, places in the Commonwealth of Independent States (CIS) where there are concentrations of refugees and districts in the Republic of Tajikistan to which refugees and displaced persons intend to return. Similar visits shall be organized by the

Joint Commission to places where displaced persons live in large numbers. The above-mentioned timetable shall be agreed by the Joint Commission within one month from the date of signature of this Protocol.

5. The Parties appeal to the Governments of the CIS States to consider issuing temporary identity documents to refugees from Tajikistan and to assist UNHCR in carrying out additional measures to ensure the safety of refugees and to defend their honour and dignity.

6. The Parties express their sincere gratitude to the United Nations, UNHCR, OSCE, donor countries and the Aga Khan Foundation for their assistance and at the same time make an urgent appeal to them and to the International Monetary Fund, the World Bank, the European Development Bank, the Islamic Bank and the Aga Khan Foundation to provide additional and substantial financial and material support to refugees and displaced persons and to the Joint Commission on problems relating to refugees, and also for the purpose of rehabilitating the national economy destroyed by the war and improving the well-being of the population.

(Signed) Talbak NAZAROV
Head of the delegation
of the Government of the
Republic of Tajikistan

(Signed) Khoja Akbar TURAJONZODAH
Head of the delegation of
the United Tajik Opposition

(Signed) Gerd Dietrich MERREM
Special Representative of the Secretary-General
of the United Nations for Tajikistan

Annex IV

[Original: Russian]

Joint statement by the delegation of the Government of Tajikistan and the delegation of the United Tajik Opposition on the results of the talks held in Tehran from 5 to 19 January 1997

On the instructions of the President of the Republic of Tajikistan, Emomali S. Rakhmonov, and the leader of the United Tajik Opposition, S. Abdullo Nuri, delegations of the parties conducted in Tehran from 5 to 19 January 1997, under United Nations auspices, talks on the issues specified in the agreement and protocol signed by them in Moscow on 23 December 1996. The delegation of the Government of the Republic of Tajikistan was headed by the Minister for Foreign Affairs, Mr. Talbak Nazarov, and the delegation of the United Tajik Opposition by the First Deputy leader of the United Tajik Opposition, Mr. K. Akbar Turajonzodah. The Special Representative of the United Nations Secretary-General for Tajikistan, Mr. Gerd D. Merrem, acted as facilitator in the course of the talks. The talks were attended by observers from the Islamic State of Afghanistan, the Islamic Republic of Iran, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Turkmenistan, Uzbekistan, the Organization for Security and Cooperation in Europe (OSCE) and the Organization of the Islamic Conference (OIC).

In accordance with the agreements reached, the parties conducted an in-depth discussion of issues relating to the size of the commission on national reconciliation, who should serve on it and its specific functions and powers. In this context, they reviewed a draft protocol on political problems, of which the agreement and protocol of 23 December 1996 form integral parts.

The parties considered a draft statute of the commission on national reconciliation and agreed on the structure of the statute, as well as on the number of members of the commission - 27 - and its specific functions and powers. Agreement was reached to continue discussion of issues relating to quotas in the commission and guarantees of the safety of its members.

In the course of the round, progress was made in agreeing on the protocol on political problems.

Agreement was reached on three of the four political issues of principle:

(a) The procedure for adoption of the Reciprocal Pardon Act and the Amnesty Act;

(b) The central commission on elections and the conduct of the referendum for the transition period and the quota of representatives of the United Tajik Opposition in its membership;

(c) Reform of the Government and the mechanism for including representatives of the United Tajik Opposition in the power structures in accordance with a quota.

The parties agreed to continue discussion of the question of renewal of the activity of the political parties and movements forming part of the United Tajik Opposition.

For purposes of overcoming the consequences of the civil war and achieving peace and national accord, the parties signed the protocol on refugee questions, which forms an integral part of the general agreement on the establishment of peace in the country. The protocol determines the political and legal parameters for the voluntary return of refugees and forcibly displaced persons to their homes in conditions of safety and dignity, their reintegration into the economic, political and social life of the country and also the restoration of their civil and property rights and the guaranteeing of their security.

The parties agreed to conduct the next round of talks starting on 26 February 1997, in Moscow or Tehran, in line with the invitations of the Russian Federation and the Islamic Republic of Iran.

The parties expressed their deep gratitude to the leadership of the Islamic Republic of Iran for the hospitality and assistance extended for the organization and conduct of the talks in Tehran. They also expressed their gratitude to the representatives of the observer States and international organizations for their cooperation and support in the course of the talks.

The delegations of the Government of the Republic of Tajikistan and the United Tajik Opposition express their sincere appreciation to the Special Representative of the Secretary-General of the United Nations for Tajikistan for his efforts to secure progress in the talks.

(Signed) Talbak NAZAROV
Head of the delegation of
the Republic of Tajikistan

(Signed) Khoja Akbar TURAJONZODAH
Head of the delegation of
the United Tajik Opposition

(Signed) Gerd Dietrich MERREM
Special Representative of the Secretary-General
of the United Nations for Tajikistan

UNITED NATIONS **S**

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21 January 1997

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LETTER DATED 21 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of the provisions of the final document of the December 1996 Lisbon Summit of the Organization for Security and Cooperation in Europe (OSCE) which pertain to the situation in Georgia.

May I ask your kind assistance in circulating the text of the present letter and its annex as a document of the Security Council, in view of its importance in particular in the context of the forthcoming deliberations on the report of the Secretary-General on the situation in Abkhazia, Georgia, by the Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

97-01609 (E) 210197

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Annex

Lisbon Summit Declaration

Paragraph 20

20. We reaffirm our utmost support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders. We condemn the ethnic cleansing resulting in mass destruction and forcible expulsion of the predominantly Georgian population in Abkhazia. Destructive acts of separatists, including obstruction of the return of refugees and displaced persons and the decision to hold elections in Abkhazia and in the Tskhinvali region/South Ossetia, undermine the positive efforts undertaken to promote the political settlement of these conflicts. We are convinced that the international community, in particular the United Nations and the Organization for Security and Cooperation in Europe (OSCE), with the participation of the Russian Federation as a facilitator, should continue to contribute actively to the search for a peaceful settlement.

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21 January 1997
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ORIGINAL: ARABIC

LETTER DATED 20 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States, British and French aircraft continued over the period 1 to 16 January 1997 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

You are requested to intervene with the countries in question with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-01645 (E) 220197 230197 240197

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Annex

Violations of Iraq's airspace and damage caused, 1-16 January 1997

1. In the northern region 84 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Mosul, Irbil, Dohuk, Tall Afar, Amadiyah, Zakho, Aqrah, Ba'shiqah and Badush.

2. In the southern region 761 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Amarah, Qurnah, Artawi, Chabaish, Salman, Shatrah, Lasaf, Najaf, Qal'at Salih, Diwaniyah, Busayyah, Rifa'i, Qurnah, Hamzah, Nukhayb, Najaf South, Taqtaqanah, Hayy, Qal'at Sukkar, Shinafiyah, Nukhayb East, Jalabiyah, Maymunah and Ali al-Gharbi.

3. On 23 occasions United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated the Republic of Iraq's airspace in the southern region before leaving in the direction of Kuwait.

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LETTER DATED 20 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that at 1500 hours on 12 January 1997 a number of warplanes belonging to the Coalition countries dropped five incendiary devices 10 kilometres south of Dohuk, alarming the residents of the area.

I request you to intervene with the countries whose aircraft overfly northern Iraq, as well as those that allow such aircraft to be based in their territory, with a view to halting and preventing any future repetition of unwarranted acts that are in breach of the Charter of the United Nations and international law, constitute a flagrant violation of Iraq's sovereignty and alarm large numbers of its citizens and damage their property.

I also affirm the legally established right of the Republic of Iraq to seek compensation for the damage caused by the activities of these aircraft, in accordance with the principle of State responsibility.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative

97-01639 (E) 220197 230197

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LETTER DATED 20 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of an incident that took place on 14 January 1997. At 1300 hours on that day a United States frigate carried out a search of the Iraqi fishing vessel Shatt al-Arab at a point four nautical miles south of Mina' al-Bakr. Personnel from the frigate searched all parts of the vessel and inspected its water and fuel tanks before leaving at 1410 hours.

I request your intervention with the United States Government with a view to halting the repeated acts of aggression being committed by United States warships against Iraqi civilian vessels. They are in violation of the Charter of the United Nations and public international law, and they have the effect of creating a state of tension in the region instead of promoting its security.

I also affirm the legally established right of the Republic of Iraq to seek compensation for the damage caused to its property by these unwarranted United States actions, in accordance with the principle of State responsibility.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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GENERAL ASSEMBLY
Fifty-first session
Agenda item 33
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-second year

Letter dated 2 January 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I have the honour to attach herewith the text of a letter from the Deputy Prime Minister and Minister of Foreign Affairs of Israel addressed to his counterparts. This letter was sent upon the signing and implementation of the agreements between Israel and the PLO concerning the redeployment of Israeli military forces in Hebron.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(Signed) David PELEG
Ambassador
Chargé d'affaires a.i.

97-01633 (E) 220197

/...

ANNEX

Letter dated 19 January 1997 from the Deputy Prime Minister and Minister of Foreign Affairs of Israel to his counterparts

I am writing to you upon the signing and implementation of the agreements between Israel and the Palestinians concerning the redeployment of Israeli military forces in Hebron, within the framework of the Interim Agreement between the sides, to share with you my thoughts on the events of the last months as well as my views regarding the path that lies ahead as we seek to advance the Middle East peace process and reach a permanent settlement.

The agreements reached, after intense and often turbulent negotiations which have been under way since the present Israeli Government entered office, are testament to the commitment of both sides to continuing the peace process through direct negotiations, cooperation, the avoidance of violence and the building of mutual trust.

The Government of Israel is committed to implementing existing agreements between the sides on the basis of reciprocity, and advancing peace while ensuring security. This commitment to peace is derived from the fundamental values which define our people. Peace is the dream which has accompanied us throughout our history. The terrorist outrages which have befallen us over the past year serve as a clear reminder, however, that progress towards peace cannot be achieved without acting to safeguard security. The mutual trust and confidence that is so central to building peace cannot be attained if our citizens cannot feel safe. We are determined to seek peace and security, for our people and for the entire region.

Much effort has been invested to ensure that a new era of cooperation, mutual understanding and peaceful coexistence will be inaugurated in Hebron. As you may be aware, the agreements on Hebron do not only refer to the redeployment of Israeli military forces in the city, but also to agreed security arrangements, joint security measures, the deployment of the Palestinian police and various civilian matters relating to the normal and effective functioning of the city, and the Israeli and Palestinian populations therein. The dangers of failure in these efforts are awesome. Both sides must work closely together and build confidence in each other if we are to be able to implement these agreements effectively and proceed together on the path of peace.

Despite our repeated declarations in support of peace, however, and our genuine and consistent efforts to advance the negotiations, many doubts have been raised as to the commitment of the Government of Israel to the peace process and the implementation of the agreements signed. It is our genuine hope that the agreements on Hebron will finally dispel this aspersion. These agreements attest to our commitment to reconciliation and peace between the Palestinian and Israeli peoples.

The atmosphere created by the unbalanced and one-sided criticism and expressions of doubt concerning the intentions of this Government, while complicating our ability to conduct negotiations effectively, did not deter us from persisting in our efforts to lay solid and appropriate foundations for the continuation of the negotiations. We believe that these foundations have now been established, and we intend to proceed with the permanent status negotiations as agreed between the sides. These negotiations will not be easy. They will require great patience, fortitude and goodwill between the parties as well as from the international community. It is my hope that the international and regional climate in the future will indeed be conducive to negotiations with our Palestinian partners. I am sure that we can rely on your constructive support as we address the fateful matters on our agenda.

The agreements just signed were achieved with the facilitation of the United States of America, which has proved its role as an honest broker acceptable to the parties. The United States provided assistance to the parties throughout, helping them to clarify their differences and work to bridge the gaps towards mutually acceptable solutions.

The leaders of Egypt and Jordan also contributed to the efforts to restore trust and reach agreed solutions. Their constructive engagement at critical junctures is greatly appreciated. The support of Russia, co-sponsor of the Middle East peace process, the European Union and other members of the international community also plays an important role in reinforcing the peace efforts in the region.

As we mark the completion of the Hebron negotiations it is vital that we now push forward on all fronts of the peace process - the permanent status negotiations with the Palestinians, the negotiations with Syria and Lebanon, and the multilateral working groups, to which we attach special significance.

We shall also continue to pursue normal relations between Israel and its neighbours, for it is these which will ensure that the peace we negotiate will be a lasting one. Sobered by the knowledge that difficulties will no doubt be encountered as we address the terribly complex and sensitive issues still on the agenda, it is imperative that we not allow our relations with the countries of the Arab world and the growing regional cooperation, to be used as pawns in the negotiating process. Efforts to do so not only damage important mutual interests but also undermine our peoples' fundamental belief in peace.

Peace must be nurtured, and it is our determination to do so. There is no turning back. The negotiations before us are not a struggle with winners and losers but rather a chance to build peace where we all are the victors. I wish to extend to you our gratitude for your continued support of our efforts.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/62
22 January 1997

ORIGINAL: ENGLISH

LETTER DATED 21 JANUARY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to write to you concerning recent important developments with respect to the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES).

Since my report of 26 October 1996 (S/1996/883), the political focus of UNTAES has been to resolve outstanding policy issues required for the holding of elections. The Joint Implementation Committee (JIC) on Elections, which had been meeting intensively since 16 October 1996, was unable to resolve any of the principal policy questions, including representation (the institutions for which elections are to be held), voter eligibility and timing of elections.

As at 17 December 1996, when the concluding meeting for the year of the JIC on Elections was held, the Croatian position was that all residents of the region of Eastern Slavonia, hereafter referred to as the region, who were eligible for Croatian citizenship, and who were living in the region at the time of the beginning of the UNTAES mandate on 15 January 1996, would be entitled to vote. Elections should be for existing Croatian institutions within existing electoral boundaries and they should take place simultaneously with nationwide Croatian local and regional elections scheduled for 16 March 1997.

The position of the local Serb delegation at that time was that the region should be a single territorial unit with the same status as, or similar to, a county under Croatian law. Elections in the region should be held later than elections in the rest of Croatia and all residents of the region, irrespective of origin or date of entry into the region, should be qualified to vote if they had citizenship of the former Socialist Federal Republic of Yugoslavia. The Serb delegation stated that it was unable to move beyond its insistence on a single region or to settle any other matters until agreement was reached on this issue.

In an attempt to resolve this political deadlock, the Transitional Administrator met with local Serb leaders and Croatian government officials to explore areas of flexibility and compromise. While the Government of Croatia was willing to offer substantial additional guarantees to local Serbs, on

24 December 1996, following an address by the Transitional Administrator, the local Serb Regional Assembly declined to make any concession on its position on a single region.

On 26 December, the Transitional Administrator wrote to President Franjo Tudjman proposing elements of a comprehensive political package as a framework for elections and for long-term guarantees for the local Serb ethnic community. The Transitional Administrator also wrote to Dr. Stanimirović, President of the local Executive Council, outlining elements of the political package and urging the local Serb leadership to represent responsibly the interests of those Serbs from the region who wished to stay in Croatia. Whereas the Croatian authorities indicated their readiness to discuss these proposals, no response was received from local Serb leaders.

On 30 December, the Transitional Administrator commenced intensive consultations with President Tudjman and the Government of Croatia on the political package for elections. The outcome of those consultations is contained in the letter from the Government of Croatia on the completion of the peaceful reintegration of the region under the Transitional Administration, Croatia, of 13 January 1997 (S/1997/27, annex).

I should like to draw your attention to the following features of the letter:

(a) Elections in the region will be held simultaneously with nationwide elections, which are currently scheduled for 16 March 1997. Following certification of the elections by the Transitional Administrator, elected local bodies of authority will be established no later than 30 days after the elections;

(b) All current residents who settled in the region prior to the beginning of the UNTAES mandate and who are entitled to Croatian citizenship may vote. Displaced persons who settled in the region after the 1991 census but before the start of the UNTAES mandate on 15 January 1996 may choose to vote for local bodies in the region or for local bodies in the area of their 1991 domicile;

(c) The Government of Croatia will issue citizenship and identity documents for all eligible voters in sufficient time to enable them to participate in elections. This is an essential prerequisite for the elections to take place in the envisaged time-frame;

(d) Local Serbs are guaranteed to hold a post of Sub-Prefect in each of the two counties that cover the region;

(e) Proportional representation for local Serbs is guaranteed in local health services, police and the judiciary. For at least the first year, the number of Serb and other non-Croat police in the area now under the Transitional Administration will be approximately 700 to 800;

(f) Pursuant to the Basic Agreement, members of the local Serb ethnic community may appoint a Joint Council of Municipalities, which shall meet at

least once every four months directly with the Croatian President or the Chief of the Presidential Cabinet;

(g) Following the next national census, Serbs and other national minorities shall have proportional representation in the House of Representatives of the Croatian Parliament;

(h) Pursuant to his constitutional powers, the President shall appoint two Serbs as deputies in the House of Counties of the Croatian Parliament. While the right of the President to appoint additional members to the House of Counties cannot be limited to a particular geographic region, President Tudjman has assured the Transitional Administrator that it is his intention to appoint one Serb from the Baranja and one from the southern part of the region;

(i) Serbs are guaranteed senior-level positions in key ministries, including, at a level no lower than Assistant Minister, in the Ministries of the Interior, Justice and Education and Culture. They are also entitled to participation in the working bodies of the Croatian Parliament;

(j) Serbs and other minorities in the region are guaranteed full rights with respect to educational and cultural autonomy;

(k) Members of the Serb ethnic community throughout Croatia may establish a council of the Serb ethnic community, which may apply to the President and Government proposing and promoting the solution of issues of common interest;

(l) All Serbs from the region shall have an automatic deferment of compulsory military service for two years from the end of the UNTAES mandate. After that time they may apply individually for a further deferment. During the period of deferment, all constitutional and civil rights will pertain, including the right to obtain a passport, and shall not in any way be hampered. In this context it should be noted that Croatian government officials have stated to UNTAES that the Ministry of Defence will consider in a positive manner individual applications for the second period of deferment and that the provisions of Croatian law on conscientious objection to military service will be available to all;

(m) Residents of the region who are war victims, including disabled persons, widows and orphans, shall enjoy full health and social service rights, with the exception of specific rights pertaining to Croat war veterans;

(n) Nothing in the letter shall derogate from the obligations of the Basic Agreement (S/1995/951, annex), Security Council resolution 1037 (1996) of 15 January 1996 or the Croatian Constitution.

The Transitional Administrator considers that the rights and guarantees outlined in the letter, if fully and genuinely implemented, constitute a solid basis for the holding of elections simultaneously with nationwide elections in Croatia and offer substantial progress towards the completion of the process of peaceful reintegration of the region. Through this letter, the Government of Croatia has committed itself before the international community to implement fully the Basic Agreement and has extended additional rights and privileges to

residents of the region. The Government of Croatia has also indicated to the Transitional Administrator its agreement to international monitoring of the implementation of the commitments outlined in the letter.

The Transitional Administrator stresses that it will be possible to hold those elections within the envisaged time-frame only if the Croatian authorities live up to their obligations with respect to the issuance of documents required for voting and completion of the technical arrangements for holding elections.

In the consideration of their response to the offers of the Government of Croatia, the Transitional Administrator urged local Serbs to look to the future and to put aside unrealistic demands. He urged local Serbs and their leaders to accept the package of measures offered and to participate actively in the forthcoming elections. In response to the letter, on 16 January 1997, the local Serb Executive Council and Regional Assembly wrote jointly to the Transitional Administrator seeking the following additional guarantees:

(a) Complete and permanent demilitarization of the existing UNTAES region;

(b) Exemption from military service for Serbs for at least 15 years;

(c) Guaranteed equal rights for all displaced persons and refugees in Croatia to remain in their present accommodation until their original homes are rebuilt, or to be compensated for destroyed or damaged property, or to be provided adequate accommodation in the area where they live at present;

(d) The creation of a single county for the region.

It should be noted that UNTAES has no mandate to pursue directly the question of the post-UNTAES military status of the region. However, as a long-term confidence-building measure of benefit to residents of the region, the Transitional Administrator has been actively encouraging the Government of Croatia to maintain the present demilitarized status of the region and to reach agreement with Yugoslavia and Hungary on a demilitarized common border area. The Council may wish to support this endeavour in an appropriate manner.

With respect to a prolonged exemption from military duty for local Serbs, as noted above, Croatian officials have stated to UNTAES that applications for the second period of deferment of military service will be considered in a positive manner.

It should be noted also that the right to equal treatment with respect to housing, access to reconstruction grants and loans, and to property compensation is guaranteed by existing Croatian law. Moreover, the right of citizens of a State to choose freely where they wish to live in the territory of that State is a fundamental human right guaranteed by several international conventions to which Croatia is a party, including article 12 of the International Covenant on Civil and Political Rights and article 2 of Protocol 4 of the European Convention on Human Rights, which Croatia has undertaken to ratify. I believe that the Government of Croatia should be encouraged to make a statement reaffirming its obligations under the Constitution, Croatian law and the Basic Agreement to treat all of its citizens equally regardless of their ethnicity.

Over the coming months, the support of the international community for the measures outlined in the letter will be crucial for the holding of elections and the completion of the process of peaceful reintegration. It is my view that the political package, taken in conjunction with the Basic Agreement and resolution 1037 (1996) and the guarantees contained in the Affidavit of Employment signed by the Government of Croatia on 16 December 1996 (see annex), constitutes a comprehensive framework of guarantees for Serbs who choose to stay in Croatia as equal citizens enjoying full rights under the Croatian Constitution in accordance with international law and under international monitoring.

The letter of the Government of Croatia in my view merits favourable consideration by the Council. I am obliged, however, to reiterate that strict compliance by all sides with the obligations outlined in the letter, and the full support of the international community, are essential if the reintegration process is to succeed.

I should be grateful if you could bring the present letter to the attention of members of the Security Council.

(Signed) Kofi A. ANNAN

Annex

Affidavit

The Office of the Government of the Republic of Croatia for Transitional Administration, on behalf of the Government of the Republic of Croatia, hereby agrees that the rights of the employees of the public enterprises and institutions presently existing in Eastern Slavonia, Baranja and Western Sirmium, for whom the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium confirms that were employed on 30 September 1996, shall be protected in accordance with the legislation of the Republic of Croatia and in conformity with the relevant international standards, including those of the International Labour Organization.

Therefore, it is understood that the Croatian Ombudsman will review and make recommendations as necessary to ensure the implementation of relevant international standards accordingly. The United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium will monitor such rights as appropriate.

In witness thereof, the Head of the Office of the Government of the Republic of Croatia for Transitional Administration, on behalf of the Government of the Republic of Croatia, has signed this affidavit in triplicate in Croatian and English.

(Signed) Mr. Vrkic
Head, Office of the Government of the Republic of Croatia for Transitional Administration — 16 December 1996

(Signed) Ombudsman of the Republic of Croatia — 19 December 1996

(Signed) Jacques Paul Klein
Transitional Administrator, United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium, as witness — 17 December 1996

UNITED NATIONS **S**

Security Council

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GENERAL

S/1997/63
22 January 1997

ORIGINAL: ENGLISH

LETTER DATED 22 JANUARY 1996 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that the Government of Georgia is completing the necessary procedures to ensure the implementation of Security Council resolutions 827 (1993) of 25 May 1993 and 955 (1994) of 8 November 1994.

On 6 January 1997, the President of Georgia, Mr. Eduard Shevardnadze, issued a Decree on Ensuring the Active Cooperation of the Government of Georgia with International Tribunals Created for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law on the Territory of the Former Yugoslavia and Rwanda.

As provided by the decree, the Government of Georgia confirms its readiness to cooperate actively with the international tribunals and their bodies established for the prosecution of persons responsible for grave violations of international humanitarian law and other international crimes.

Pursuant to the decree, the competent bodies shall present, within two months, recommendations on necessary measures to enhance Georgia's cooperation with the international tribunals, including proposals concerning changes and amendments to the legislation of Georgia.

I would be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

97-01792 (E) 230197

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/64
22 January 1997

ORIGINAL: ENGLISH

LETTER DATED 22 JANUARY 1997 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to write to you in connection with the situation in the region of Eastern Slavonia, Baranja and Western Sirmium, the administration of which is the responsibility of the Security Council.

Following the positions of the Government of the Republic of Croatia presented in the letter dated 13 January 1997 from the Permanent Representative of Croatia to the United Nations addressed to the President of the Security Council (S/1997/27), my Government deems it necessary to draw your attention to the positions of the local Serb authorities on this matter contained in their letter dated 16 January 1997 which has been forwarded to the Security Council through the Transitional Administration (see annex).

I should be grateful if you would circulate the text of the present letter and its annex as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

Annex

Letter dated 16 January 1997, at Vukovar, from the Assembly and the Executive Council of the Region of Eastern Slavonia, Baranja and Western Sirmium, the United Nations Protected Area

I

Recognizing the catastrophic consequences of the civil war in Croatia, resolved to put an end to this situation and influence the remedying of the consequences and the building of new democratic and humane relations, the international community has prevailed upon the two warring parties to sign the Basic (Erdut) Agreement. This act put a stop to the civil war.

II

Our region, as part of the territory of the Republic of Croatia, has been put under the jurisdiction of an International Administrator, with clear indications that, following a significant and recognizable tranquillization in mutual relations of the two sides, a reintegrative-integrative process will take place.

III

While not resisting the positions of the international community vis-à-vis the existence and functioning of Croatia as a sovereign State, we could not, nor must we, forget the manner of its creation, both because of the obligation of achieving the highest level of security for the members of our community and because of our genuine contribution to the further development of the Croatian State. To this end, we have continually pointed out our positions, pleading with the international community and the Croatian side to recognize in them only the necessary reality and the only way of overcoming the created animosities, sufferings and frustrations. Of late we have had various draft documents presented which by their content and essence are along the lines that are below the meaning of the provisions of the Erdut Agreement. Each of them contains diminished rights and guarantees to a future normal and prosperous life. It is incomprehensible that the need for a full demilitarization of the area in which until recently warring people had to live together has been pointed out and proved for so long and to so little avail. The Serbs have surrendered their arms, but Croatia has not desisted from its intention of replacing the military component of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) with its regular army.

Furthermore, the problems of refugees and displaced persons pointed out in the Erdut Agreement, equally difficult irrespective of national affiliation, and as such emphasized in the relevant United Nations resolution, have been completely pushed aside in the recently presented draft documents which aspire to acquire validity by being confirmed in the United Nations Security Council.

Already these two elements are accentuating the feelings of insecurity and fear among the members of our community in a manner and to the extent that could lead to a new exodus early this spring.

We must point out that our desire to become fully reintegrated into the Croatian State as a unique area in the form of one zupanija is also being fully disregarded even though it does not question in any way whatsoever the territorial integrity and sovereignty of Croatia. In it we have recognized the clear desire of Croatia to prevent in future all initiatives, even at the level of local self-government and administration, motivated by majoritarianism.

IV

We, the representatives of the Serbian community, believing in the objectivity of international institutions and the desire of the Croatian authorities to develop democratic and humane relations in this region, aware of the decisive moment at which we find ourselves and of the grave consequences for all, call upon the Security Council to assess in detail and comprehensively the results to date of the work and contribution to the realization of the peace process of all participants and to define resolutely and definitively the positions of all, including prescribing measures for the achievement of the desired goal which, as we understand it, is a peaceful and secure life for all through humane and equitable relations without any elements of existing or potential discrimination achieved primarily through war and aggression.

V

The Serbian side believes that it is possible to achieve a comprehensive solution in the following way:

1. By fully and lastingly demilitarizing the present UNTAES area with respect both to arms and to armed persons;

2. By placing a moratorium on the obligation of the members of the Serbian ethnic community to serve in the military for a period of at least 15 years, accepting the principle of possible voluntary service;

3. By equating the rights of refugees and displaced persons in the sense that members of any ethnic community cannot be evicted from temporary accommodation facilities in which they currently reside until they are ensured return to renovated facilities abandoned for whatever reason at the time of war activities or are given fair compensation for destroyed or damaged property or are provided appropriate accommodation in the place of their present residence;

4. By enabling the Serbian ethnic community living in the region under the present United Nations Transitional Administration to set up and administer a unique zupanija within the sovereign Croatian State as a form of local self-government or administration or as any other form of organization of that level and meaning in future;

5. By having the international community confirm the validity and objectivity of the positions of the Serbian ethnic community by taking a clear position in a United Nations resolution of lasting duration.

VI

We, the representatives of the Serbian ethnic community, are convinced that in the sense of the aforementioned we have not even hypothesized a possibility of diminishing or limiting the relevant civil rights of the present and future inhabitants of the region under the Transitional Administration in the Republic of Croatia.

President of the Executive Council	President of the Regional Assembly
(Signed) Vojislav Stanimirović	(Signed) Borivoje Zivanović

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General Assembly
Security Council

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S/1997/65
22 January 1997
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Fifty-first session
Agenda items 33 and 35
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE

SECURITY COUNCIL
Fifty-second year

Letter dated 21 January 1997 from the Permanent Representative of Kazakstan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued on 18 January 1997 by the Ministry of Foreign Affairs of the Republic of Kazakstan regarding the signing, on 15 January 1997, of the agreement between the Government of Israel and the Palestinian authorities on the withdrawal of Israeli troops from the town of Hebron (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly, under agenda items 33 and 35, and of the Security Council.

(Signed) Akmaral A. ARYSTANBEKOVA
Ambassador
Permanent Representative of the Republic
of Kazakstan to the United Nations

ANNEX

Statement issued on 18 January 1997 by the Ministry of Foreign Affairs of the Republic of Kazakstan

Kazakstan welcomed the news of the signing, on 15 January 1997, of the agreement between the Government of Israel and the Palestinian authorities on the withdrawal of Israeli troops from the town of Hebron, which represents a major breakthrough in the implementation of the agreements concluded earlier between the parties.

This step is an important contribution to the continuation of the peace process and will help create conditions conducive to beginning the final stage of the Palestinian-Israeli talks and a definitive settlement of the Middle East problem.

Kazakstan supports the goodwill and political realism of the participants in the peace process and expresses its hope for the speedy achievement of a comprehensive and just peace in the region, based on a balance of interests and the granting of the legitimate rights of all peoples living in the region, including the right of the Palestinian people to establish an independent State.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/66
23 January 1997

ORIGINAL: ENGLISH

LETTER DATED 20 JANUARY 1997 FROM THE SECRETARY-GENERAL TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolutions 1037 (1996) of 15 January 1996 and 1079 (1996) of 15 November 1996 concerning the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES).

Following the usual consultations, it is my intention to appoint Major-General W. Hanset of Belgium as the Force Commander of UNTAES. Major-General Hanset will replace Major-General J. Schoups, who completed his tour of duty on 15 January 1997.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-01925 (E) 230197

UNITED
NATIONS

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Security Council

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GENERAL

S/1997/67
23 January 1997

ORIGINAL: ENGLISH

LETTER DATED 23 JANUARY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 20 January 1997 (S/1997/66) regarding your intention to appoint Major-General W. Hanset of Belgium to succeed Major-General J. Schoups as the Force Commander of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) has been brought to the attention of the members of the Security Council. They agree with the intention contained in the letter.

(Signed) Hisashi OWADA
President of the Security Council

97-01943 (E) 230197

UNITED
NATIONS

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General Assembly
Security Council

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A/52/61
S/1997/68
23 January 1997
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Fifty-second session
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fifty-second year

Letter dated 15 January 1997 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the declaration by the Presidency of the European Union on the situation in the Federal Republic of Yugoslavia, issued on 9 January 1997 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly, under the agenda item entitled "Human rights questions: human rights situations and reports of special rapporteurs and special representatives", and of the Security Council.

(Signed) Dr. N. H. BIEGMAN
Ambassador
Permanent Representative

ANNEX

[Original: English and French]

Declaration by the Presidency of the European Union on the situation in the Federal Republic of Yugoslavia issued at Brussels on 9 January 1997

The European Union has noted with appreciation the report of the Personal Representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), Mr. Felipe González, and fully endorses the conclusions and recommendations contained therein.

The European Union attaches particular importance to the conclusion in that report that the results of the elections on 17 November reflect the will of the majority of the citizens of Serbia and that the coalition Zajedno has won the local elections in 13 cities, as well as in 8 municipalities and the Assembly of the City of Belgrade.

The Union notes the letter of Foreign Minister Mulitinović to the OSCE Chairman-in-Office, but calls upon the authorities in the Federal Republic of Yugoslavia, and in particular upon President Milosević of Serbia, to accept fully the conclusions and recommendations of the Personal Representative and to act upon them without delay.

Following the conclusions of the European Council of Dublin, the European Union furthermore calls upon the authorities in the Federal Republic of Yugoslavia to enter into a constructive dialogue with the opposition and to ensure the viability and availability of the independent media.

The European Union reiterates its appeal to the authorities in the Federal Republic of Yugoslavia to refrain from the use of force against peaceful demonstrators and journalists.

Recalling its declaration of 9 April 1996 setting out, inter alia, the conditions for the development of good relations with the Federal Republic of Yugoslavia, the European Union reaffirms its position that only reform directed towards full democratization and liberalization of the political and economic system, in dialogue with the opposition, as well as respect for human rights and for the rights of minorities will bring a solution to the present problems and allow for the full integration of the Federal Republic of Yugoslavia into the international community.

UNITED NATIONS

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S/1997/69
23 January 1997
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Fifty-second session
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-second year

Letter dated 15 January 1997 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the declaration by the Presidency of the European Union on the Central African Republic, issued on 10 January 1997 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly, under the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security", and of the Security Council.

(Signed) Dr. N. H. BIEGMAN
Ambassador
Permanent Representative

ANNEX

[Original: English and French]

Declaration by the Presidency of the European Union on the Central African Republic issued at Brussels on 10 January 1997

The European Union is extremely concerned at the serious situation of instability currently reigning in the Central African Republic. It would like all parties in Bangui to reach a peaceful solution.

With this in view, the Union fully supports the mediation efforts initiated by the Presidents of Gabon, Burkina Faso, Chad and Mali and led on the spot by General Amadou Toumani Touré.

The Union calls upon all parties not to endanger the democratic process begun three years ago in the Central African Republic and to respect fully the principles of the rule of law and good governance, which are essential for the development of the country and its relationship with the European Union.

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NATIONS

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General Assembly
Security Council

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S/1997/70
23 January 1997
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Fifty-second session
MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM

SECURITY COUNCIL
Fifty-second year

Letter dated 23 January 1997 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

The delegation of Lebanon wishes to convey to you its great indignation at the contempt for international public opinion that is shown in the letter dated 2 January 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/51/769-S/1997/6). In it, Israel seeks to invoke the principles of the Charter of the United Nations and the norms of international law in order to characterize attacks made against it as terrorism. In so doing, it ignores and attempts to make public opinion overlook the fact that it is forcibly occupying Lebanese territory in violation of the Charter of the United Nations and the norms of international law and that it is persisting in its occupation despite the numerous resolutions adopted by various United Nations organs calling upon it to withdraw.

Our indignation is increased by the fact that the letter also tries to invoke the Declaration on terrorism approved by the General Assembly in its resolution 51/210 of 17 December 1996 while ignoring the Organization's numerous resolutions on the right of peoples to resist occupation, in particular General Assembly resolution 50/6 of 24 October 1995, by which the Assembly adopted the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, and General Assembly resolution 46/51 of 9 December 1991. The letter also seeks to ignore the fact that the forcible occupation of the territory of another State is the most serious form of organized international terrorism and violates all the human rights covenants and the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.

Under international law and in accordance with the resolutions of the Security Council, particularly its resolution 425 (1978), it is Israel that is the aggressor State and one that has been occupying the territory of a neighbouring State for 19 years. In the resolution in question, the Security Council calls upon Israel to end its occupation, to cease its military actions against Lebanese territorial integrity and to withdraw forthwith its forces from all Lebanese territory.

The actions that the representative of Israel refers to as acts of terrorism are acts of resistance to occupation that take place inside Lebanese territory and are directed against military elements of the occupation forces. They are a legitimate expression of the right to self-defence enshrined in the Charter of the United Nations, and they have the goal of liberating national territory from foreign occupation. The history of modern States is based for the most part on wars of resistance and liberation.

Lebanon has expressed its readiness to ensure security and the rule of law in southern Lebanon immediately on the withdrawal by Israel of its occupying forces in implementation of resolution 425 (1978), and this has been conveyed by its senior representatives in the United Nations General Assembly and the Security Council and in many official statements issued by the Lebanese Government.

It is the maintenance of the Israeli occupation that is the basic reason for the existing tension in the area and that has caused so many human tragedies and so much destruction and suffering for the Lebanese. The logic of Israeli security policy has demonstrably failed to achieve security and stability in the area and on the two sides of the border.

Action in accordance with international legitimacy is the only way to ensure stability, security and peace for the peoples of the region.

I should be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under the item entitled "Measures to eliminate international terrorism", and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1997/71
23 January 1997

ORIGINAL: ENGLISH

LETTER DATED 22 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the ceasefire between the two countries.

1. On 11 September 1996, at 1800 hours, 50 Iraqi military personnel aboard five vehicles moved towards the west side of border strip in the Bishkan area at the geographical coordinates of 38S ND6500030000 on the map of Ghasr-e-Shirin.

2. On 14 September 1996, at 1610 hours, three Iraqi vehicles, carrying 100 individuals, were observed moving from the geographical coordinates of 38S ND5100027000 on the map of Ghasr-e-Shirin, in no man's land, east of Hedayat sentry post towards the geographical coordinates of 38S ND6200024000 on the map of Ghasr-e-Shirin, in no man's land, south of Madjid-Ghadir Agha.

3. On 14 September 1996, at 1700 hours, eight Iraqi vehicles moved from around the geographical coordinates of 38S ND6700026000 on the map of Ghasr-e-Shirin, in no man's land, between north and south of border pillars 60/4 and 60/3 in the direction of the Iranian border and disembarked 20 armed individuals and 40 with backpacks.

4. On 15 September 1996, at 0900 hours, five Iraqi personnel began pitching a tent at the geographical coordinates of 39R TP2700062000, on the map of Khorramshahr.

5. On 17 September 1996, at 1720 hours, 35 Iraqi minibuses moved from the geographical coordinates of 38S NC6700016000 on the map of Kani-Sheikh towards the geographical coordinates of 38S NC7000022000 on the map of Halaleh, west of border pillar 39, and left the area after three hours.

6. On 19 September 1996, at 0011 hours, a number of Iraqi armed smugglers who had infiltrated across the border into Iranian territory were intercepted by Iranian boundary police at kilometre 7 of Imam Reza road at the geographical coordinates of 38R QA6600001000 on the map of Saeedia. As a result, two smugglers were killed and one small boat and one motor boat were discovered.

7. On 20 September 1996, at 0230 hours, a number of Iraqi smugglers who had infiltrated into the Iranian territory were intercepted by the Iranian boundary police around the geographical coordinates of 38R QA7400005000 on the map of Saeedia. They fled back into Iraqi territory and left one small boat behind.

8. On 24 September 1996, at 0830 hours, two Iraqi civilians were observed moving in the mine field from the geographical coordinates of 38S NC510085000 on the map of Sizdah in no man's land, west of border pillar 46/7 towards Heidarabad sentry post at the geographical coordinates of 38S NC5200085000. They fled back into Iraqi territory after encountering Iranian boundary police.

9. On 24 September 1996, at 2310 hours, a number of Iraqi smugglers who intended to infiltrate the Iranian border were intercepted at the geographical coordinates of 38S ND6800026000 on the map of Ghasr-e-Shirin, north of border pillar 60/3 in no man's land. As a result, one of the smugglers was killed, one wounded and two others were arrested.

10. On 2 October 1996, at 1100 hours, an Iraqi loader was observed excavating at the geographical coordinates of 39R TP4300036000 on the map of Khosroabad, west of Koot al-Nadjdi and Nahr al-Nadjdi.

11. On 7 October 1996, at 1600 hours, Iraqi troops based at Chizard sentry post at the geographical coordinates of 38S NC4500099000 on the map of Khosravi fired two 60 mm mortar shells hitting Iranian territory at the geographical coordinates of 38S ND4600001000 on the map of Kharratha, west of Allah-Dad and border pillar 50, in the Zein al-Kosh area.

12. On 8 October 1996, at 0800 hours, Iraqi troops set up a military bunker, manned by five personnel and equipped with communication devices, around the geographical coordinates of 38S NC5480041600 on the map of Sumar, west of Maggi fountain and border pillar 43.

13. On 11 October 1996, 27 Iraqi troops were observed around the geographical coordinates of 38S QA3400073000 on the map of Anbar river, south-west of border pillar 22/22 and the geographical coordinates of 38S QA0600093000 on the map of Meimeh in no man's land, south of border pillar 23 and the geographical coordinates of 39R TP3690059100 on the map of Abadan in no man's land, opposite the pumping house and the geographical coordinates of 39R TP5300026000 on the map of Khosroabad, in no man's land, north of the city of Khalfan and south of Maamir river.

14. On 12 October 1996, at 1415 hours, 19 Iraqi senior officers, accompanied by 5 armed soldiers, visited Manzarieh sentry post at the geographical coordinates of 38S NC4200005000 on the map of Khosravi in no man's land.

15. On 14 October 1996, at 1530 hours, a number of Iraqi smugglers, supported by Iraqi military personnel based in no man's land, infiltrated Iranian territory in the area west of Dege-Shatt Ali and kidnapped one of the employees of the Chand-Manzoureh Company, Saeed Nagravi, whose fate is still unknown.

16. On 15 October 1996, at 1000 hours, an Iraqi loader was observed excavating at the geographical coordinates of 38S QA4400057000 on the map of Yebis, in no man's land, between border pillars 22/5A and 22/6.

17. On 15 October 1996, at 1210 to 1630 hours, 24 Iraqi individuals, including 8 military officials, visited the Iraqi town of Manzarieh at the geographical coordinates of 38S ND4200005000 on the map of Khosravi, in no man's land, and then left the area.

18. On 16 October 1996, the Iraqi troops set up a base on the west bank of the Arvand Rud, opposite Jaraf River, and started daily observation from the pyramid-shaped embankments. Movement of the troops in the base is clearly visible.

19. On 17 October 1996, at 1140 hours, an Iraqi helicopter was observed on the other side of the border strip at the geographical coordinates of 39R TP1600074000 on the map of Khorramshahr, south of border pillar 1/14. After 30 minutes, it left the area in the direction of Basra.

20. On 17 October 1996, the official-in-charge of the Soosangerd Office of Fishery was kidnapped by a number of Iraqi smugglers, supported by Iraqi military personnel on Shahid Hemat road. The fate of the kidnapped person is still unknown.

21. On 17 October 1996, 34 heavy Iraqi military vehicles were observed moving in the Kani-Sheikh area.

22. On 18 October 1996, one of the Iranian farmers living in the border area, Mr. Zahiri, was kidnapped by a number of armed Iraqi smugglers, supported by Iraqi military personnel, in the Zahiriah area. His fate is still unknown.

23. On 19 October 1996, at 0830 hours, 12 Iraqi vehicles were observed moving around the geographical coordinates of 38S 6700016000 on the map of Kani-Sheikh and the geographical coordinates of 38S NC7000022000 on the map of Halaleh, west of border pillar 39 in no man's land.

24. On 31 October 1996, at 1030 hours, six Iraqi intelligence officers and anti-revolutionary elements, infiltrated Iranian territory at the geographical coordinates of 38S NC5200083000 on the map of Sizdah, north of border pillar 46/5 in no man's land. They began observing and making reconnaissance on the roads leading to the Iranian Khosro-Abad post. They fled into Iraqi territory after encountering Iranian boundary police.

25. On 1 November 1996, at 1950 hours, Iranian boundary police confronted a number of armed Iraqi smugglers, supported by Iraqi military personnel, at the geographical coordinates of 38R QV710-990 on he map of Saeediah. As a result, an Iranian was wounded and the smugglers subsequently escaped.

26. On 2 November 1996, 126 Iraqi motor boats, 7 ships and tugs, carrying 250 individuals, were observed patrolling the Arvand Rud.

27. On 3 November 1996, at 0630 hours, two Iraqi vehicles were observed patrolling around the geographical coordinates of 38S NC6700019000 on the map of Kani-Sheikh, south of the Iraqi village of Musa and the geographical coordinates of 38S NC6700016000 on the map of Kani-Sheikh, south of the Iraqi village of Mokhaibar.

It would be highly appreciated if the present letter were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

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S/1997/72
23 January 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 22 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 21 January 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the persistence of Turkey's hostile military operations in flagrant violation of Iraq's territory and airspace.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Letter dated 21 January 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I refer to my letter of 8 January 1997 concerning the continuing violations of the territory and airspace of the Republic of Iraq being committed by Turkish armed forces (S/1997/24, annex) and should like to inform you that, on a variety of pretexts, such forces are still engaging in military operations inside Iraq's territory and in its airspace. The particulars are set forth hereunder.

1. At 1400 hours on 18 December 1996 Turkish fighter aircraft bombarded the Bayshalah, Kulli Biri, Kulli Bayshalah and Yazah areas of Iraq to the north-east of Amadiyah.

2. At 1900 hours on 18 December 1996 Turkish fighter aircraft bombarded the Kulli Bazah area of Iraq.

3. At 1530 hours on 20 December 1996 Turkish fighter aircraft bombarded the Wadi Raqqah area inside Iraqi territory in Raniyah district. The bombardment destroyed the homes of a number of citizens and killed some livestock.

4. On 29 December 1996 a force of Turkish village guards estimated at 250 armed men from the Kuyan clan accompanied by a number of Turkish intelligence officers crossed the international boundary in order to carry out reconnaissance in the Sinat and Ufkuzi areas to the north-east of Zakho inside Iraqi territory. The force subsequently withdrew inside Turkish territory.

5. Between 0700 and 1400 hours on 30 December 1996 Turkish fighter aircraft and helicopters reconnoitred the aforementioned area. At 1430 hours on the same day the Sinat, Ufkuzi and Dashdagh areas, inside Iraqi territory, came under aerial bombardment from Turkish fighter aircraft and helicopters.

6. On 30 December 1996 a Turkish military force estimated at brigade-plus strength and consisting of commandos, gendarmes, mechanized infantry, armour and village guards under the command of the 23rd Gendarmerie Brigade based in Çortak vilayet crossed the international boundary into Iraqi territory in the Ufkuzi, Sinat and Bahnunah areas. The force was also supported by F-16 and F-4 fighter aircraft and Cobra helicopters.

7. On 31 December 1996 Turkish forces took up positions 8 to 10 kilometres inside Iraqi territory in the area between Ufkuzi and Huriz. They seized the major communications centres and important slopes in the area.

In conveying to you the details of these Turkish violations, the Government of Iraq expresses its condemnation of such acts of military aggression. It does so because the practices of the Turkish forces, as represented by their repeated shelling of towns and villages in Iraq and their unlawful incursions into Iraqi territory, are in flagrant violation of Iraq's sovereignty and the inviolability of its territory and airspace, just as they are incompatible with relations of good-neighbourliness, the Charter of the United Nations, the norms of

international law and the 1926 Iraq-Turkey boundary agreement. These practices may also undermine stability in the region as a whole, which is suffering primarily from the anomalous situation created by the United States of America and its allies in northern Iraq.

As stated in my previous letter, the Turkish Government bears full international responsibility for the acts of aggression it commits inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives.

The Government of Iraq reserves its legitimate right under international law to seek compensation for the damage caused by these Turkish violations of its territory and its airspace and for the human suffering inflicted on Iraqi citizens by these actions. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq, to promote the collaboration of the two countries on the basis of considerations of good-neighbourliness and mutual respect for sovereignty and to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries.

As, through you, I reiterate my country's call to its Turkish neighbour to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and that it will halt the intimidation and aggression to which my country is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/73
24 January 1997

ORIGINAL: ENGLISH

LETTER DATED 22 JANUARY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the oral briefings concerning the situation in the Great Lakes region of Central Africa which I gave to the Security Council during its informal consultations on 8 and 21 January 1997.

As I advised the Security Council on those occasions, I have come to the conclusion that the gravity and complexity of the situation in the region requires the earliest possible appointment of a resident Special Representative rather than further exploratory visits by a Special Envoy as had previously been contemplated. On the latter occasion, I also informed the Council of my decision, after consulting the Secretary-General of the Organization of African Unity (OAU), Mr. Salim A. Salim, and leaders of the countries concerned, to propose the appointment of a joint United Nations/OAU Special Representative.

Such an appointment will be in conformity with the request of the Security Council that the Secretary-General cooperate closely with OAU in addressing the problems of the Great Lakes region, including preparations for an international conference. I envisage that the Special Representative will report to both Secretaries-General and will take guidance from both of them. This, of course, presupposes close coordination between the two organizations at headquarters level and Mr. Salim and I are discussing how this can be strengthened. We are also discussing the administrative and financial modalities for this joint appointment.

The essential tasks of the Special Representative can be summarized as follows:

(a) To use his good offices to promote peaceful settlements of the various conflicts in the region, with special reference initially to the situations in eastern Zaire and Burundi;

(b) To prepare an international conference on peace, security and development in the region, as endorsed by the Security Council;

(c) To use his good offices to help preserve the unity and territorial integrity of Zaire and to help restore that country's national institutions, including through support for the electoral process.

In carrying out these tasks the Special Representative will work closely with the Governments in the region and other parties concerned and will cooperate with special envoys and other mediators appointed by international organizations and Member States in an endeavour to provide guidance and leadership to a properly coordinated international effort to address the region's problems.

In his United Nations capacity, the Special Representative will also direct other political activities of the United Nations system in the region and will provide guidance to, and ensure coordination of, all other United Nations activities, working at the regional level through the existing Regional Humanitarian Coordinator and at the country level through the Humanitarian/Resident Coordinators.

The Special Representative will establish his office in Nairobi, but will travel frequently and extensively throughout the region. For this purpose, he will require adequate logistical support including, especially, an aircraft and communications equipment which will enable him to keep in touch with his office and with the leaders of the region during his travels. In due course, he will, with the agreement of the Governments concerned, establish sub-offices headed by senior officials in various capitals of the region, including Bujumbura, Kigali, Kinshasa and possibly others, depending on his assessment of the support he needs.

The official heading the sub-office in Kinshasa will have an important role to play in supporting the Special Representative's exercise of his good offices with regard to the situation in eastern Zaire, but he or she will also be responsible, under the overall guidance of the Special Representative, for directing the United Nations electoral activities in that country. The official heading the sub-office in Bujumbura will assume the functions discharged with great distinction since December 1995 by Mr. Marc Faguy (Canada), who has informed me of his wish to leave his post when his current contract expires at the end of February 1997.

The efforts of the Special Representative will succeed only if he, and the two Secretaries-General who will have appointed him, are assured of the full and continuing support of the members of the Security Council, collectively and individually. This support will need to be of various kinds. Perhaps the most important support will be political: maintenance of consensus in the Security Council on how the problems of the region should be tackled and the manifestation of that consensus through decisions and statements of the Council, accompanied by supportive initiatives by its members bilaterally.

There will be an equal need for material support. This will include support for the Special Representative's mission itself, both through the prompt payment of assessed contributions to its budget and through voluntary contributions in kind, especially in the fields of aviation and communications which I have already mentioned. It will also include continuing financial contributions to the international community's variegated activities in the humanitarian and economic and social fields, without which it will not be possible to restore lasting peace and security in the region. Particularly important in this context will be the provision of funds for rehabilitation and reconstruction in Rwanda, especially the resettlement of returning refugees; for

similar programmes in Burundi after peace has been restored there; for the relief and resettlement of the many refugees that remain in the United Republic of Tanzania and Zaire; and for the support of the many Zaireans who have been displaced or otherwise affected by the events that have taken place since 1994.

The Secretary-General of OAU and I have agreed that Ambassador Mohammed Sahnoun (Algeria) would be an excellent candidate for the post of Special Representative. He has held a number of senior government positions, including that of Ambassador to the United States of America. In 1992, he served as a Special Representative of the Secretary-General of the United Nations to Somalia and had earlier served for several years as an Assistant Secretary-General of OAU. He has already advised me of his availability should the Security Council decide to authorize the appointment of a joint United Nations/OAU Special Representative for the Great Lakes region. I have already established that the choice of Ambassador Sahnoun for this post would be welcomed by the leaders in the region.

I accordingly seek the Security Council's agreement to this proposal. I shall submit as soon as possible outline estimates of the cost of the resources required to enable the Special Representative to perform the functions described in the present letter.

I should be grateful if you would bring these matters to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

UNITED NATIONS **S**

Security Council

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GENERAL

S/1997/74
24 January 1997

ORIGINAL: ENGLISH

LETTER DATED 24 JANUARY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 22 January 1997 (S/1997/73) regarding your proposal to appoint Ambassador Mohammed Sahnoun (Algeria) as joint United Nations/Organization of African Unity Special Representative for the Great Lakes region has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter.

The members of the Security Council express their full support for the Special Representative in the fulfilment of his tasks.

The members of the Security Council look forward to being kept closely informed of the work of the Special Representative.

(Signed) Hisashi OWADA
President of the Security Council

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